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10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 FRANCINE GUARINO,

13 Plaintiff,

Case No.: 2:13-cv-02135-GMN-NJK

14 vs.

15 LAS VEGAS METROPOLITAN POLICE
16 DEPARTMENT, a Political Subdivision of the
17 STATE OF NEVADA; OFFICER SHANNON
18 ROHRBAUGH, #9013; DOE POLICE
19 OFFICERS I-XX; ROE CORPORATIONS I-X,
20 and JOHN DOES I-X; inclusive,,

Defendants.

**STIPULATION AND ORDER TO
DISMISS WITH PREJUDICE**

21 Plaintiff Francine Guarino ("Plaintiff"), by and through her attorney of record, C.J.
22 Potter, IV, Esq., of Potter Law Offices, and Defendants Las Vegas Metropolitan Police
23 Department ("LVMPD") and Ofc. Shannon Rohrbaugh ("Ofc. Rohrbaugh") (collectively
24 "LVMPD Defendants"), by and through their attorney of record, Craig R. Anderson, Esq., of the
25 law firm of Marquis Aurbach Coffing, and hereby stipulate and agree as follows:

- 26 1. Trial in this matter is currently set for **November 30, 2015**.
- 27 2. That the parties agree to dismiss this lawsuit with prejudice.
- 28 3. The Plaintiff agrees to waive her right to appeal this Court's granting of summary judgment in favor of the LVMPD Defendants on her 42 U.S.C. §1983 claims. Dkt. #51.

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4. Each party will bear their own attorney fees and costs.

IT IS SO STIPULATED this 24th day of September, 2015.

MARQUIS AURBACH COFFING

POTTER LAW OFFICES

By: /s/Craig R. Anderson
Craig R. Anderson, Esq.
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Attorneys for Defendants

By: /s/C.J. Potter
C.J. Potter, IV, Esq.
Nevada Bar No. 13255
1125 Shadow Lane
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Attorney for Plaintiff

ORDER

IT IS SO ORDERED that Case No. 2:13-cv-02135-GMN-NJK, be dismissed with prejudice with all parties bearing their own fees and costs;

IT IS FURTHER ORDERED that Plaintiff waves her right to appeal this Court's granting of summary judgment in favor of the LVMPD Defendants on her 42 U.S.C. §1983 claim;

IT IS FURTHER ORDERED that the LVMPD Defendants' Motion in Limine No. 1 to Strike Plaintiff's Treating Physicians from Testifying at Trial [#54] is denied as MOOT;

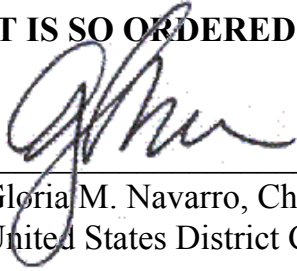
IT IS FURTHER ORDERED that the LVMPD Defendants' Motion in Limine No. 2 to Exclude Testimony of Plaintiff's Expert Dr. Presswood [#55] is denied as MOOT;

IT IS FURTHER ORDERED that Plaintiff's Motion to Remand [Dkt. #56] is denied as MOOT; and

IT IS FURTHER ORDERED that the Calendar Call set for November 23, 2015 and the trial date set for November 30, 2015 be vacated.

IT IS SO ORDERED.

Submitted By:
MARQUIS AURBACH COFFING


Gloria M. Navarro, Chief Judge
United States District Court

By: /s/Craig R. Anderson
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DATED: 09/24/2015